

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Deputy Director for Administration

25X1 FROM: [REDACTED]
Director of Security

SUBJECT: Support to Foreign Intelligence Surveillance Court

REFERENCE: Memo for DCI from General Counsel, dated
20 April 1979 (OGC 79-03667), Same Subject

1. Action Requested: None, for information.

25X1 2. Background: With your concurrence (reference), we nominated [REDACTED] of the DCI Security Committee staff to be security officer for the U.S. Foreign Intelligence Surveillance Court. The Judges of that court so appointed him in May 1979 when the court began operations. Court security procedures require the security officer to conduct an annual security audit and report the result to the court.

25X1 3. Discussion: [REDACTED] audit report was sent by Presiding Judge Hart to his fellow court members and to Mr. Foley, the Director of the Administrative Office of the United States Courts. Mr. Foley in turn sent it to the Chief Judges of all United States Courts of Appeals and District Courts commending the soundness of the security advice and recommending it be heeded. A copy of Judge Hart's memorandum commending [REDACTED] work is attached. 25X1

I am pleased to have this opportunity to advise of this well merited recognition.

[DOJ Review Completed]

Attachment

cc: General Counsel w/att

[REDACTED] 25X1

OS 0. 2056

SUBJECT: Support to Foreign Intelligence Surveillance Court

Distribution:

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25X1 DD/CA/ [] (8/12/80)

United States District Court
for the District of Columbia
Washington, D. C. 20001

Chambers of
George H. Hart, Jr.
United States District Judge

August 5, 1980

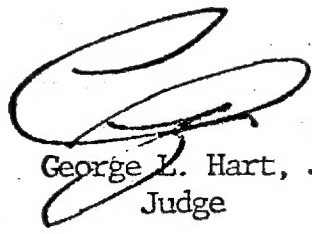
MEMORANDUM TO: Members of the U. S. Foreign Intelligence
Surveillance Court

FROM: Judge Hart

Under date of June 20, 1980, I forwarded to you a report of the annual security audit of our Court, as required by Public Law. This report was prepared by [redacted] our Court Security Officer. Attached to this report was a suggestion of "Security Lessons Learned". 25X1

On the same date I forwarded a copy of "Security Lessons Learned" to Mr. Foley and suggested that it might be of use to the various federal Chief Judges throughout the country.

You will be interested to note the enclosed memorandum sent out by Mr. Foley, under date of July 28, 1980, to the federal Chief Judges. I consider same a feather in the cap of our Security Officer.


George L. Hart, Jr.
Judge

Enc.

WILLIAM E. FOLEY
DIRECTOR

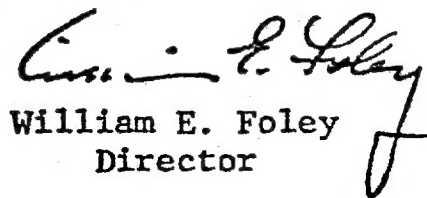
JOSEPH F. SPANIOL, JR.
DEPUTY DIRECTOR

July 28, 1980

To the Chief Judges of the United States Courts
of Appeals and United States District Courts:

The enclosed report pertaining to security problems has recently been brought to our attention and I am sending it to you herewith for your information. The security suggestions contained in the report are sound. We recommend that the advice be heeded.

Sincerely yours,


William E. Foley
Director

Enclosure

"Security Lessons Learned"

A recent criminal trial and conviction in a United States district court highlighted several potential security vulnerabilities with respect to safeguarding classified information. Some "security lessons learned" from this case include:

- a. The covert placement in a government agency conference room of an electronic recording device shows the need to keep spaces where sensitive information is discussed secure when not in use, and to admit only persons with proper clearances and need-to-know for the subjects being discussed. Negative results from a technical survey for clandestine transmitters cannot provide assurance against either the pre-placement and later servicing, or the covert carrying into and out of a conference room of miniaturized recording devices.
- b. The ease with which unauthorized persons entered private offices and removed and copied documents stored there shows the need to keep offices secured when not in use; to lock sensitive documents in a secure container; to keep official papers under direct observation when spaces are occupied; and to challenge unknown or unauthorized persons found in private offices.
- c. The unauthorized use of official identification making equipment at a government agency, and the use of the resultant forged credentials to gain access to controlled areas, shows the need to require more than mere display of credentials before admitting a hitherto unknown person to a private office or providing him or her official papers.

One of the documents seized in this case was a detailed "how to" manual on entering government buildings and gaining access to private offices and official documents. Basing advice on the premise that a bold manner, cool nerves, and

reasonable preparation will get you into and out of wherever you want to go, the manual instructs agents to:

- a. Have a plausible story ready to justify your presence;
- b. locate a safe space (e.g., empty office) where you can wait until your target office is vacated;
- c. locate a reproduction machine and jimmy it "on" if locked;
- d. check the target office to see if it is vacant then use a credit card, piece of sheet metal, or length of flexible wire to "slip" the bolt on a locked door;
- e. look for keys to file cabinets or combinations to safes in such frequently used places as top middle drawers of nearby desks or file card boxes;
- f. locate the files of interest, leave the target office appearing as it was, go to the previously energized "xerox" machine and make your copies, then return the files, close the safes and re-lock the door; and
- g. walk out of the building with your copies, acting like a staff member who worked late and is taking material home to finish.

It worked for these agents. Much simpler versions of this sort of brazenness work for people who steal personal items or office equipment from buildings. The security lesson is lock it up, but don't leave the key or combination where others can find it; assure yourself that your spaces are adequately protected by good locks, working alarms and responsible guards; don't let unknown persons into your offices during working hours on the basis of vague explanations; and challenge people who don't seem to belong where they are.

74-17134

OGC 79-03667
20 April 1979

MEMORANDUM FOR: Director of Central Intelligence

VIA : Chairman, DCI Security Committee
Deputy Director of Central Intelligence

FROM : Anthony A. Lapham
General Counsel

SUBJECT : Security Officer to Support Court Created
by Foreign Intelligence Surveillance Act

1. Action Requested: That you approve the individual named herein as a suitable candidate for appointment by the Chief Justice to the post of Security Officer for the new Foreign Intelligence Surveillance Court and be prepared to recommend this individual to the Chief Justice. It is highly desirable that a Security Officer be designated as soon as possible so that he can play an effective role in setting up the new court which is expected to begin operation in mid-May.

2. Background: As you may recall, the Foreign Intelligence Surveillance Act, which became law last fall, requires that formal court security procedures be promulgated by the Chief Justice in consultation with you and the Attorney General. Draft procedures coordinated within the executive branch were forwarded to the Chief Justice a few weeks ago, and although there apparently are some wrinkles yet to be worked out, it now appears likely that a revised set of procedures will be sent to you by the Chief Justice early next week for final comment prior to promulgation.

3. The revised procedures will provide for a Security Officer selected from qualified individuals recommended by you and the Attorney General. The formal participation of an executive branch official in the administrative functions of the court will be a significant and unique precedent and provide an opportunity to ensure security of sensitive information. Clearly, it is to our advantage to have such an Officer and to recommend that he come from your staff. You should also understand that if the procedures turn out as I expect, they will provide that the appointed Security Officer, so far as he performs duties for the Court, is to serve at the pleasure of the presiding judge of the Court and will not be subject to termination by you or any other member of the executive branch. They will provide as well that the Security Officer may perform other executive branch duties so long as these do not interfere with his duties for the Court.

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4. Recommendation: I recommend that you approve an employee for designation as Security Officer for the Foreign Intelligence Surveillance Court and that the person be [] currently on your Security Committee staff. [] is fully qualified for this role. He has been an active participant in the formulation of the security procedures for the court, and has gained in the process an understanding of the particular concerns of the judicial branch. The Director of Security advises that [] will be supported fully to ensure that the court's security needs and your responsibilities for protection of sources and methods are met at all times. With your approval, we will provide [] name to the Attorney General's staff for submission to the court.

SIGNED

Anthony A. Lapham

APPROVAL:

/s/ Stansfield Turner

2 MAY 1979

Director of Central Intelligence

Date

OGC/[]
Distribution:

Orig - Adse

1 - OGC Subj: FOREIGN INTELLIGENCE SURVEILLANCE ACT []

1 - OGC Chrono

1 - []

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